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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,650	04/07/2005	Shigeru Abe	403366/SOGA	9087
23548 7590 11/14/2007 LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960			EXAMINER SALATA, ANTHONY J	
			ART UNIT 2837	PAPER NUMBER
			MAIL DATE 11/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,650

Applicant(s)

ABE ET AL.

Examiner

Jonathan Salata

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 5-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4-7-05, 9-20-05</u> | 6) <input type="checkbox"/> Other: _____ |



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

Paper No:20071108
Application No:10/530650
Filing Date: April 7,2005

1. The SUMMARY OF THE INVENTION from pages 3 to 7 is a verbatim copy of the claims. This does not meet the objectives of the summary in 37 CFR 1.73 which states that "A brief summary of the invention indicating its nature and substance, which may include a statement of the object of the invention, should precede the detailed description." A further elaboration of this is given in MPEP 608.01(d) which states "Since the purpose of the brief summary of invention is to apprise the public, and more especially those interested in the particular art to which the invention relates, of the nature of the invention, the summary should be directed to the specific invention being claimed. That is, the subject matter of the invention should be described in one or more clear, concise sentences or paragraphs." Claims are written in legal language to specify in broad terms the legal limitations of the invention, and are not intended to provide technical information to the public about the nature of the invention.

The first paragraph of 35 U.S.C. 112 states that "The specification shall contain a written description of the invention, and of the manner an process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains". The legal language utilized for claims to set the metes and bounds of the patent protection does not fulfill this requirement. In addition, 37 CFR 1.75 (d) sets up the criteria that the specification is a dictionary for the claims and should provide clear support or antecedent basis for all terms used in the claims. Since the SUMMARY OF THE INVENTION merely duplicates the claims, it is not providing support for the claims.

The second paragraph of 35 U.S.C. 112 states that "The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention". Since the claims are given at the end of the specification, it is redundant and superfluous to include them as part of the summary.

Since rules 37 CFR 1.73 and 37 CFR 1.75 clearly identify the SUMMARY OF THE INVENTION as a section which is separate and distinct from the CLAIMS and the other sections, the intended objective was not to provide an exact copy of the claims in the SUMMARY.

Appropriate correction is required.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2 is rejected under 35 U.S.C. 102(b) as being anticipated by Schroder (4836336).

Schroder teaches in figures 1-8, an elevator system floor call registration circuit.

A double car 4 with compartments 4.1,4.2 in a hoistway 1 is operated to travel to even or odd numbered floors dependent upon which compartment a passenger is in. Dependent upon the compartment the passenger is in or desires to ride, a display 9 "fixture" and keyboard 20 which is specific to each floor and can be altered depending upon the building traffic.

Each floor display and keyboard is specific to the floor it is on and the destinations which can be reached by the corresponding elevator car.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3,4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroder and Friedli et al (6062346).

Schroder does not illustrate a control "equipment" for each floor.

Applicants has defined equipment to include display's, see page 11, line 7.

Friedli et al teaches a display 1, tailored to each floor of a building, is advantageous for passengers to quickly place a call and to be guided to certain floors such as the basement or garage.

Thus to utilize tailed displays for a muti-deck system with tailored keys at each floor, would have been an obvious engineering design choice to one of ordinary skill in the art to aid in call registration.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kostka, Schroder et al and Gazdzinski et al are cited to illustrate similar double deck elevator display systems or access/equipment control systems.

A shortened statutory period for response to this action is set to expire 3 months from the date of this letter.

Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Any inquiry of a **general nature** should be directed to the **Group receptionist whose telephone number is (571) 272-2800**.

Information regarding the STATUS of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PARI. Status information for unpublished applications is available through Private PAIR ONLY. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Any questions on access to PAIR, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Group 2800 via the PTO 2800 Fax Center. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). The Fax Center number is (571) 273-8300.

For assistance in **Patent procedure, fees or general Patent questions** calls should be directed to the **Inventors Assistance Center (IAC) whose telephone number is 800-PTO-9199 or 800-786-9199**. Assistance is also available on the Internet at www.uspto.gov.

For requesting copies of Cited Art, Office Actions or the like, response to Status Letters, lost papers or files or General Problem solving, calls should be directed to the TC 2800 Customer Service Office whose telephone number is 571-272-2800 or by fax at 571-273-8300.

Any inquiry concerning **this communication or earlier communications from the examiner** should be directed to **Jonathan Salata whose telephone number is (571) 272-2073**.

The examiner does not have as detailed access as the previously listed numbers with regard to status or general problem solving. The examiner can normally be reached on Monday through Thursday from 7:30 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan, can be reached on (571) 272-2800 ext 27.

ajs

November 8, 2007


**JONATHAN SALATA
PRIMARY EXAMINER**